

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

EKR THERAPEUTICS, INC.,  
Plaintiffs,

v.

SUN PHARMACEUTICAL INDUSTRIES,  
LTD.,

Defendant.

Civ. Action No. 07-1788 (KSH)

**ORDER**

**Katharine S. Hayden, U.S.D.J.**

For the reasons stated in the opinion filed herewith,

**IT IS** on this 31<sup>st</sup> day of March, 2009,

**ORDERED** that EKR's motion for summary judgment of infringement is GRANTED;  
and it is further

**ORDERED** that Sun's motion for summary judgment of non-infringement (D.E. 121) is  
DENIED.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.